↑ 15F

App. F. IX-4

1954-55
(GTB)

File No. 37-54-
Serial Nos. 1, 2,

Previous References.
GTB. 26-53-4, 5, 8, 10, 11, 12, 14, 17
18, 19, 20, 21, 22, 23.

Later References.
GTB Dep 33 54

MYSORE GOVERNMENT SECRETARIAT

Serial Nos. Two

Part B for June 1954

SUBJECT

Supply of Stoneware Pipes and Specials by Messrs Mysore Stoneware Pipes and Potteries Ltd, Bangalore

WD 03555—GPB—25,000—2-7-53.

L. 2407-12/ Dated 8.6.54.

To.

The Director, Industries & Commerce
" Secretary, Stores Purchase Committee
" Chairman, CGTB, Bangalore
" Accountant General
" Controller, S.A.D
Messrs. The Mysore Stoneware Pipes & Potteries Ltd

Approves the Proposal

GTB
13/7.

8257/Lw

Letter No A1— 616 /53-4 & 15-3-54 from the Director of I.T.C. re rate to be fixed in respect of stoneware pipes supplied by M/s Mysore stoneware pipes Potteries

1) submitted with the collection leading to the issue of letter No L13510/ fgM/ I.T.C. 26-5.53-23 & 16-1-54. The secretary S.P.C. P.S.P.C. may be consulted on the proposals made in the first instance

2) yes 31/3

Mo 29/3

Sec 31/3

Q.O No 4. 8 dt 6.4.54

3) Forwarded to the secretary, stores purchase committee for remarks and early return

Asst. Secretary, Leg and Planning Depts.

Mo 31/3

552 7.4.54

Sec 1/4

4) Returned:

The Director of Industries & Commerce is stated to have discussed these points over the telephone with the President, Stores Purchase Committee, and

suggested to him that it would be equitable to insist on the firm allowing a rebate to the extent of 50% of the difference. He is also stated to have told the President that the Board of Directors were strongly of the opinion that the rates once fixed and accepted should not be interfered with during the currency of the contract; as otherwise the sanctity of such contract would be lost. With a view to settle the matter amicably, the Director of Industries & Commerce appears to have suggested that a rebate as above could be accepted as an equitable arrangement. The President asked him to make such a proposal for consideration. The President, Stores Purchase Committee, is of the opinion that it cannot be denied that there is some force in the opinion expressed by the Board of Directors, and that technically and even legally we cannot urge for reconsideration of the rates after having accepted the same, during the period of contract as already intimated to Government in this office letter No.SPC.50465 dated 4th January 1954. Nevertheless, the point was pressed with a view to secure as much reduction as possible. As the firm seems to be agreeable to allow a rebate of 50% of the difference between the rates as accepted by us and as per Government of India rates for all supplies prior to 1st April 1953, not yet paid for, the President is of the opinion that the proposal made by the Director of Industries & Commerce may be accepted in a spirit of amicable settlement and the matter closed.

U.O. 246 / 17.4.54

Secretary,
Stores Purchase Committee.

16/4/54

5) In the light of the remarks

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E

Supply of stone ware pipes 3
by M/s. Ry/Mc stone ware pipes & potteries.

of the secretary, stores purchase committee in para 6 above, the proposals made by the Director of Ind & Comm in his letter dt 15-3-54 (Flg Qr) may perhaps be approved.

6) 24/4

245
Mra 20/4
Sec 20/4

Secy Dept)

7) I agree.

28/4/54

Min Dept + Min Home } 8) 27.4.54

27/4

7/5/54

A draft letter is putup.
Mra 20/5
Sec 22/5

CW Pl dis cum Mday
29/5

Discussed & received instructions
Mra 29/5

A draft go is putup for appl
Mra 2/6. 5/6

Secy Dept)

2/6

SECRETARY TO GOVERNMENT
7 JUN 1954
L. S. G. DEPARTMENT

OFFICE OF THE MINISTER FOR PUBLIC HEALTH & LOCAL-SELF GOVERNMENT.
APR
No. 453

OFFICE OF THE MINISTER FOR HOME & INDUSTRIES
No. 732
28 APR 1954
BANGALORE.

SECRETARY TO GOVERNMENT
885
8 MAY 1954
L. S. G. DEPARTMENT

4

8257/Hyd

S.T.B. 37-52E-2

Issue at once

More than a month has elapsed to issue the G.O after order had been passed by the Minister. This is not Correct

8/6/54

To,

The Director of Ste.

The Chairman, S.T.B.

The Secy, S.P.C.

~~The~~ T/S Stme some Pfts

The Controller, S.A.D

The A.G.

Lr 2407-12 dt 8-6-54

Approval of the proposals.

B Mrs

8257

C. F. No. 45] **GOVERNMENT OF MYSORE**

Tele gram phone

OFFICE OF
the Director of Industries and
Commerce in Mysore, Bangalore,

No. A1-616/53-54
Encls.

Date 15th March 1954.

GB. 3·1. 54-1

To

The Secretary to the Government of Mysore,
Local Self-Government and Planning Departments,
Bangalore.

Sir,

Subject:- Local Indent No. 11142 - Supply of Stoneware Pipes and Specials by Messrs. Mysore Stoneware Pipes and Potteries Ltd., Bangalore.

With reference to your letter No. L.13510/I/B-26-53-23 dated the 16th January 1954 on the above subject, I write to state that the matter was taken up by me informally with the Directors of the Company at the Board meeting held on 27th February 1954 and informed them that Government would very much appreciate if they extended a co-operative attitude, as the rate contract on Local Indent No.11142 was entered into by the Stores Purchase Committee a long time ago after observing all the formalities of tender conditions, etc., and supplies on the contract had also been made for a long time.

The points at issue now are the following:-

(1) Rates in respect of supplies covering a particular period prior to 1-4-1953:- The Secretary, Stores Purchase Committee has suggested that in respect of supplies made during this period, the accepted rate as per the contract may be revised now and payment made only on the basis of the Government of India rate contract for this period which is somewhat lower.

(2) The Stores Purchase Committee has also referred to the rate contracts for supplies from 1st ~~October~~ April 1953 offered on f.o.r. Chickbanavar basis and the rates quoted for the transport. The Stores Purchase Committee has suggested that a reduction may be obtained in respect of the transport charges.

(3) The Stores Purchase Committee has also suggested that for

p.t.o.

for future contracts, only the rates offered to the Government of India may be accepted by Mysore.

I am glad to say that (1) the Board has agreed to extend the concession of reduction of the transport charges from ten to five per cent. (2) They have also agreed to allow the rates applicable to the Government of India on contracts to the Stores Purchase Committee also in future as desired, though I personally feel that the Stores Purchase Committee might re-examine the matter further as it might not always be advantageous to press for the rates quoted to the Government of India. This disposes of items (2) and (3) mentioned above.

As regards the only other issue, viz., payment for supplies made during the short period upto 1-4-1953, I understand that the amount involved is about Rs.7,500/-. The Board, while expressing its anxiety to accommodate and co-operate with Government even on this issue, felt that while the amount involved is small, the principle involved in the issue was very important and has to be duly respected. The Board felt that it would not be desirable to re-open firm contracts and if the contract was now re-opened at the instance of one party, on future occasions it would be admissible for either party to ask for such re-opening on whatever grounds may arise from time to time. Further if such re-opening of contracts was done in one case, it might lead to complications if other parties in other cases also pressed for re-opening of contracts on this precedent. All points considered, the Board felt there was difficulty in accepting the suggestion of the Stores Purchase Committee and desired that the Chairman of the Company might take up the matter further with Government on their behalf and reach a settlement of the matter satisfactory to the parties.

I have discussed the matter personally with the President of the

the Stores Purchase Committee, Sri. Appaji Gowda. While I agree that the Stores Purchase Committeee should have obtained a more favourable rate before entering into a firm contract with the firm, the undesirability of re-opening of contracts already entered into and acted upon for a length of time is real and requires consideration as it might lead to embarrassment and complications if contracts are to be re-opened at the instance of one party when there were no exceptional circumstances beyond the control of either party initiating the contract and only a small financial commitment was involved. It would not be, therefore, expedient that the contract rates with the firm should be revised. I have, therefore, suggested to the firm that in view of the somewhat lower rates quoted to the Government of India, although that was done to meet certain specific conditions created by competition in the particular places where the Government of India needed the supplies and in view of the facilities and encouragement given by Government, the firm should extend its co-operation also by voluntarily allowing an ex-gratia rebate of a moiety of the extra cost involved, about Rs.3,750/-, a moiety being similarly borne by the Stores Purchase Committee. I am glad to say that the firm has accepted this and agreed to give rebate for a moiety of the amount as a special concession to the Stores Purchase Committee in view of their continued patronage and bulk orders and the credit note will be sent to the Stores Purchase Committee separately by the firm. The President of the Stores Purchase Committee is also agreeable to accept a moiety: viz., Rs.3,750/- in the interests of a mutually satisfactory settlement of the matter. I therefore suggest that the approval of Government may be accorded to the above proposals in consultation with the President of the Stores Purchase Committee and the matter treated as closed.

Yours faithfully,

(E.V.Ganapati Iyer)
Director & Chairman, H.S.P.P.Ltd.

dv.

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M. G. S. App. F VI—G. 2]

SUBJECT.....

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Diary No. of letter replied to.....

Mysore Government Secretariat

( )

the *195*

376 cofive

Date of issue.....195

Signed by.....

May this be—

(i) printed ?
(ii) treated as a Standing Order ?
(iii) published in the Gazette, English Part ?
(iv) translated ?
(v) placed at the disposal of the Press ?
(vi) published in the Gazette, Kannada Part ?

Section GTB.

Serial No. 37 &4

File No. 2

Proceedings of the Government of Mysore

Read—

Letter NTL 13570 / 2 T.B. 26-53-23 dt 16-1-54 addressed to the Secretary, Director of Ind & Comm regarding the acceptance of rates for the supply of stoneware pipes and stoneware pipes and potteries as per Local Indent No. 11142.

2) Letter No. A1-616/53-5-4 dt 15/3/54 from the Director of Ind & Comm. on the subject.

3) his official note No. 246 dt 17-4-54 of the Secretary, Stores Purchase

5 (2)

Committee in the matter.

Order No 2407-12/8-6-54

In pursuance of the instructions issued, Govt in letter dt 16-1-54 read above, the Director of Stc. discussed the question with the Directors of M/s. Mysore stoneware Pipes and potteries and ~~letter~~ and consequent on the decision arrived at as a result of the discussion, he reported as follows:- ~~the following proposals:-~~

(1) Rates in respect of supplies covering a particular period prior to 1-4-53:- The total amount involved is about Rs 7500, being the difference between the rates as accepted by the S.P.C. and ~~for all supplies to be~~ as per Govt of India rates.

The firm has accepted

List of Enclosures.

Copied by

Examined by

WD 03540—GPB—40,000—13-8-53

M. G. S. App. F VI—G. 2]

(23) 6

SUBJECT.....

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.....

Diary No. of letter replied to.....

Mysore Government Secretariat

( )

the *195*

Date of issue.....195

Signed by.....

May this be—

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(iv) translated ?
(v) placed at the disposal of the Press ?
(vi) published in the Gazette, Kannada Part ?

Section

Serial No.

File No.

Proceedings of the Government of Mysore

continued.

Read—

a rebate
to allow an ~~suggestive rebate~~
of the value of the extra
cost involved is ~~Rs~~ about
Rs 3,750/-, a value being
Order thereon, ~~No.~~ borne by the S.P.C.

(2) Rate contracts for supplies
from 1-4-53 offered on—
f.o.r. chickballapur and
the rates quoted for the transport.
The S.P.C. has suggested that
a reduction may be obtained
in respect of the transport charges.

the Board has agreed to ~~allow~~ extend the concession of reduction of the transport charges from ten to five percent.

(3) Rates for future contract:—

The S.P.C. suggests that for future contracts, only the rates offered to the Govt of India may be accepted. The Board ~~have~~ has agreed to allow the rates applicable to the Govt of India on contracts to the S.P.C. also.

List of Enclosures.

The Director, while soliciting approval to the proposals made above, as accepted by the firm, suggests that, in respect of the rates for future contract, the S.P.C. may re-examine the matter further, as it might not

Copied by

Examined by

M. G. S. App. F VI—G. 2]

SUBJECT.....

.....

.....

Diary No. of letter replied to.....

Mysore Government Secretariat

( )

the *195*

Date of issue.....195 .

Signed by.....

May this be—

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(iv) translated ?
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(vi) published in the Gazette, Kannada Part ?

Section

Serial No.

File No.

Proceedings of the Government of Mysore

Read—

always be advantageous to press for the rates quoted to the govt of India. The secretary, S.P.C. who Order thereon.—No. was consulted in the matter stated among other things that the president of the SP Committee (S.P.C.) is of the opinion that the proposal made by regarding the acceptance ~~the Director may be accepted~~ the Director of T&C re the allowance of the rebate of 50% shown by the firm.

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for all supplies prior to 1-4-53, may be accepted in a spirit of amicable settlement.

In these circumstances, we are pleased to approve of the proposals made by the Director of P & C. inspection of the

48/8/6

Insp Cy

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To,

The Director of P & C.

The Secy, S.P.C.

The Chairman, C.G.D. Board, Bangalore

The A.G.

The controller, S.A.D.

Messrs Shorrocks & Peters Ltd

WS/8/54

List of Enclosures.

Copied by

Examined by

PROCEEDINGS OF THE GOVERNMENT OF MYSORE.

R e a d :-

Letter No.L.13510/I.T.B.26-53-23 dated the 16th January 1954 addressed to the Director of Industries & Commerce in Mysore regarding the acceptance of rates for the supply of stoneware pipes and specials by Messrs. Mysore Stoneware Pipes and Potteries Ltd., as per Local Indent No.11142.

2. Letter No.A1-616/53-54 dated the 15th March 1954 from the Director of Industries & Commerce in Mysore on the subject.

3. Unofficial Note No.246 dated the 17th April 1954 of the Secretary, Stores Purchase Committee, in the matter.

ORDER No.L. 240)-12/ITB 30-54-2

DATED, BANGALORE, THE 8 June 1954.

In pursuance of the instructions issued in Government letter dated the 16th January 1954 read above, the Director of Industries & Commerce discussed the question with the Directors of Messrs. Mysore Stoneware Pipes and Potteries and consequent on the decisions arrived at as a result of the discussion, he reported as follows:-

(1) Rates in respect of supplies covering a particular period prior to 1st April 1953:-

The total amount involved is about Rs.7,500/- being the difference between the rates as accepted by the Stores Purchase Committee and as per Government of India rates. The firm has accepted to allow a rebate of the moity of the extra cost involved i.e., about Rs.3,750/- a moiety being borne by the Stores Purchase Committee.

(2) Rate contracts for supplies from 1st April 1953 on F.O.R. Chickbanavar and the rates quoted for the transport:-

The Stores Purchase Committee has suggested that a reduction may be obtained in respect of the transport charges. The Board has agreed to extend the concession of reduction of the transport charges from ten to five per cent

(3) Rates for future contract:-

The Stores Purchase Committee suggested that for future contracts, only the rates offered to the Government of India may be accepted. The Board has agreed to allow the rates applicable to the Government of India on contracts to the Stores Purchase Committee also.

The Director, while soliciting approval to the proposals made above, as accepted by the firm, suggests that, in respect of the rates for future contract, the Stores Purchase Committee may re-examine the matter further, as it might not always be advantageous to press for the rates quoted to the

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Government of India. The Secretary, Stores Purchase Committee, who was consulted in the matter states among other things that the President of the Stores Purchase Committee is of the opinion that the proposal made by the Director of Industries & Commerce regarding the allowance of the rebate of 50% shown by the firm for all supplies prior to 1st April 1953 may be accepted in a spirit of amicable settlement.

In these circumstances, Government are pleased to approve of the proposals made by the Director of Industries & Commerce.

(V. Hanumanthappa)
for Secretary to Government,
L.S.G. & Planning Departments.

To

The Director of Industries & Commerce in Mysore,
" Secretary, Stores Purchase Committee, Bangalore,
" Chairman, City Improvement Trust Board, Bangalore,
" Accountant-General, Mysore, Bangalore,
" Controller, State Accounts Department,
Messrs.The Mysore Stoneware Pipes & Potteries Ltd., Bangalore.

LNS.9.8/6.